Wisconsin Elections Commission

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MEMORANDUM

To: Wisconsin Municipal Clerks

City of Milwaukee Election Commission

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Milwaukee County Election Commission

FROM: Wisconsin Elections Commission Staff

DATE: October 25, 2018

SUBJECT: Staff Guidance: Counting Write-in Votes for Governor and Lieutenant Governor

The November 6, 2018 General Election contains a contest (Governor and Lieutenant Governor) in which electors cast votes for a "ticket." These offices are held by two separate individuals, and candidates must run separately to appear on the primary ballot as candidates for those offices. However, the candidates for each of these offices in each party who received the most votes for Governor and Lieutenant Governor at the primary are paired together in the General Election. This pairing is called a "ticket."

Conventionally, a "ticket" contains two names: A Governor candidate and a Lieutenant Governor candidate. One may expect that a voter who wishes to cast a write-in vote for a "ticket" will write-in two names and that the names will be those of two people whose names do not appear on the ballot. However, voters are innovative when it comes to voting and will write in various combinations of ballot candidates, candidates from other offices, registered and unregistered write-in candidates, etc.

Based upon the elector intent statutes contained in Wis. Stat. § 7.50, this memo provides several guidelines to follow when counting write-in votes for Governor and Lieutenant Governor. A chart that includes all possible vote combinations is included with this memo.

Guidelines for Counting Write-in Votes for Governor and Lieutenant Governor

- 1. A write-in vote that mirrors a ballot "ticket" is added to the votes cast for the "ticket." Please note that for Candidate Arnie Enz, the "ticket" is only "Arnie Enz" and there is no Lieutenant Governor candidate for that "ticket."
- 2. A write-in vote that includes a nonregistered write-in candidate for either Governor or for Lieutenant Governor or for both offices, does not count for either office.
- 3. A write-in vote for Lieutenant Governor cast for a ballot candidate or registered write-in candidate for Governor does not count as a vote for either office. A write-in vote for Governor cast for a ballot candidate or registered write-in candidate for Lieutenant Governor does not count for either

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office. The same is true if a ballot candidate or registered write-in candidate for any other office is written in for Governor or Lt. Governor.

- 4. A write-in vote for a registered write-in candidate or ballot candidate for Governor from one party combined with a registered write-in candidate or ballot candidate from another party (e.g. Walker/Barnes or Evers/Kleefisch) must be counted as a separate "ticket." These votes are not added to the votes for any "ticket" on the ballot and these candidates must be written in for the office for which they qualified in order to be counted.
- 5. A write-in vote for a ballot candidate or registered write-in candidate for Governor and no vote for Lieutenant Governor is counted for the Governor candidate, but not added to any "ticket."
- 6. A write-in vote for a ballot candidate or registered write-in candidate for Lieutenant Governor and no candidate for Governor is counted for the Lt. Governor candidate but not added to any "ticket."

While some of these scenarios are rare or unlikely, we have received questions about how to handle them, and would like to provide concise guidance for election inspectors to quickly process these votes. The attached chart accounts for all combinations described in these five guidelines and indicates whether to count the write-in for the "ticket" written in, only for the Governor candidate, only for the Lieutenant Governor candidate or "None." The combinations that result in an X under "None" in the "Count for" section do not need to be tallied but should still be listed as an occurrence on the tally sheet.

If you have questions, please contact the Help Desk at 608-261-2028 or elections@wi.gov.

Attachment: COUNTING WRITE-IN VOTES FOR GOVERNOR/LIEUTENANT GOVERNOR (Chart)